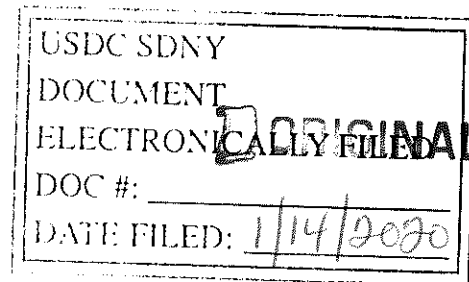


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA

- v. -

MARC DEMANE DEBIH,

Defendant.

CONSENT PRELIMINARY  
ORDER OF FORFEITURE/  
MONEY JUDGMENT

S3 18 Cr. 184 (VSB)

WHEREAS, on or about June 13, 2018, MARC DEMANE DEBIH, (the “Defendant”), was charged in a thirty-eight-count Superseding Indictment, S3 18 Cr. 184 (the “Indictment”), with conspiracy to commit securities fraud and fraud in connection with a tender offer, in violation of Title 18, United States Code, Section 371 (Count One); conspiracy to commit wire fraud and securities fraud, in violation of Title 18, United States Code, Section 1349 (Count Two); securities fraud, in violation of Title 15, United States Code, Sections 78j(b) and 78ff; Title 17, Code of Federal Regulations, Sections 240.10b-5 and 240.10b5-2; and Title 18, United States Code, Section 2 (Counts Three through Seventeen); fraud in connection with tender offers, in violation of Title 15, United States Code, Sections 78n(e) and 78ff; Title 17, Code of Federal Regulations, Sections 240.14e-3(a) and 240.14e-3(d); and Title 18, United States Code, Section 2 (Counts Eighteen through Twenty-Two); wire fraud, in violation of Title 18, United States Code, Sections 1343 and 2 (Count Twenty-Three through Thirty-Seven); and securities fraud, in violation of Title 18, United States Code, Sections 1348 and 2 (Count Thirty-Eight);

WHEREAS, the Indictment included a forfeiture allegation as to Counts One through Thirty-Eight, seeking forfeiture to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, of any and all property,

WHEREAS, the Defendant agrees to pay, and the Government agrees to accept, \$49,000,000 in United States currency in lieu of the forfeiture of the Subject Property; and

WHEREAS, the Defendant admits that, as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offenses alleged in Counts One through Thirty-Eight of the Indictment cannot be located upon the exercise of due diligence, with the exception of the Subject Property;

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Geoffrey S. Berman, United States Attorney, Assistant United States Attorneys Daniel Tracer and Richard Cooper of counsel, and the Defendant, and his counsel, Steven Kobre, Esq., and Sean Buckley, Esq., that:

1. As a result of the offenses alleged in Counts One through Thirty-Eight of the Indictment, to which the Defendant pled guilty, a money judgment in the amount of \$49,000,000.00 in United States currency (the "Money Judgment"), representing the amount of proceeds traceable to the offenses alleged in Counts One through Thirty-Eight of the Indictment that the Defendant personally obtained, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant, MARC DEMANE DEBIH, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. The Defendant shall make a payment in the total amount of \$49,000,000 in United States currency (the "Payment") to the Government prior to sentencing. Upon receipt of the Payment, the Government shall apply the Payment towards the satisfaction of the Money Judgment.

4. All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the Defendant's name and case number or alternatively, by wire transfer, in accordance with wire instructions to be provided by the Government prior to sentencing.

5. In the event the Defendant does not make the Payment prior to sentencing, the Government shall make an application to the Court for an order forfeiting the Defendant's right, title and interest in the Subject Property.

6. The United States Marshals Service is authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

7. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

8. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.


9. The Clerk of the Court shall forward three certified copies of this Consent Preliminary Order of Forfeiture /Money Judgment to Assistant United States Attorney Alexander

J. Wilson, Co-Chief, Money Laundering & Transnational Criminal Enterprises Unit, United States Attorney's Office, One St. Andrew's Plaza, New York, NY 10007.

10. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

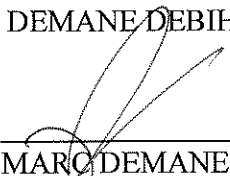
AGREED AND CONSENTED TO:

GEOFFREY S. BERMAN  
United States Attorney for the  
Southern District of New York


By:   
Richard Cooper/ Daniel Tracer  
Assistant United States Attorneys  
One Saint Andrews Plaza  
New York, NY 10007  
(212) 637-1027/2329

10/2/19  
DATE

MARC DEMANE DEBIH

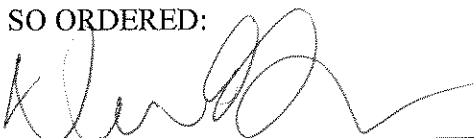
By:   
MARC DEMANE DEBIH

10/3/19  
DATE

By:   
Steven Kobre, Esq.  
Sean Buckley, Esq.  
*Attorneys for Marc Demane Debih*

10/3/2019  
DATE

SO ORDERED:

  
HONORABLE VERNON S. BRODERICK  
UNITED STATES DISTRICT JUDGE

10/3/19  
DATE